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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No. 23643

Group: 3752

Confirmation No.: 6528

Application No.: 10/016,596

Invention: METHOD AND APPARATUS FOR
ADJUSTING AND POSITIONING
AIR CAPS

Inventor: Baltz et al.

Filed: October 30, 2001

Attorney

Docket: 3030-67663

Examiner: Davis D. Hwu

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being
deposited with the United States Postal Service with
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on

July 13, 2004

(Signature)

Kim Tyree

(Printed Name)

NOTICE OF APPEAL

Mail Stop
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

Applicants hereby appeal to the Board of Appeals from the rejection dated April 13, 2004, of the Primary Examiner rejecting claims 1-19. This is the third rejection of this application, this application having previously been rejected on July 9, 2003 and October 21, 2003. This application has also previously been appealed on January 21, 2004, and an appeal brief submitted on February 24, 2004, which resulted in withdrawal of the final rejection from which the previous appeal was taken. This appeal is thus timely, 37 C. F. R.

§1.191(a).

07/16/2004 SMINASSI 00000053 100435 10016596

01 FC:1401 330.00 DA

The \$330.00 fee for this appeal was submitted with the notice of appeal submitted January 21, 2004.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0435, with reference to Applicants' undersigned counsel's file 3030-67663. A duplicate copy of this authorization is enclosed for that purpose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard D. Conard", written in a cursive style.

Richard D. Conard
Attorney Reg. No. 27321
Attorney for Applicant

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